

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>KEITH MILAM,</b>	)	CASE NO.	1:10-cv-936
	)		
Petitioner,	)		
	)		
v.	)	JUDGE JOHN R. ADAMS	
	)		
<b>WARDEN, NORTH CENTRAL, CORRECTIONAL INSTITUTION,</b>	)		
	)		
Respondent.	)	<u>ORDER AND DECISION</u>	
	)		

This matter appears before the Court on one objection to the Report and Recommendation (“the Report”) of the Magistrate Judge filed by Petitioner Keith Milam. Upon due consideration, the Court overrules the objection and adopts the Report and recommended findings and conclusions of the Magistrate Judge and incorporates them herein. Therefore, it is ordered that the petition is hereby DENIED.

Petitioner filed his objections on November 30, 2011. Petitioner acknowledges that his argument is foreclosed by binding Circuit precedent in *Goodell v. Williams*, 643 F.3d 490 (6th Cir. 2011). Petitioner also acknowledges that his objection is made solely for the purpose of preserving the matter for future review. As *Goodell* is binding and resolves this issue against Petitioner, his objection is overruled.

The Court hereby ADOPTS the Magistrate Judge’s Report in its entirety. The Petition is DENIED.

The Court certifies, pursuant to 28 U.S.C. § 1915(A)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability.

This Order is entered pursuant to Federal Rule of Civil Procedure 58.

IT IS SO ORDERED.

Date: December 5, 2011

/s/ John R. Adams  
JUDGE JOHN R. ADAMS  
UNITED STATES DISTRICT JUDGE